

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

DAVID IVEY,)	CASE NO. 8:06CV702
)	
Petitioner,)	
)	
V.)	ORDER OF DISMISSAL
)	
ROBERT HOUSTON, Director of)	
Corrections,)	
)	
Respondent.)	

On October 15, 2007, the Court issued an order to show cause why this case should not be dismissed based on the Petitioner's failure to prosecute. Petitioner's counsel was directed to file a response on or before October 19, 2007, or risk dismissal of the action without prejudice. Nothing has been filed. Accordingly,

IT IS ORDERED:

The Petition for Writ of Habeas Corpus (Filing No. 1) is dismissed without prejudice based on the Plaintiff's failure to prosecute the matter. The Clerk is directed to take all steps necessary to close this matter for statistical purposes.

DATED this 23rd day of October, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge